

REMARKS/ARGUMENTS

The examiner has objected to the abstract as being too short and not sufficiently descriptive. A replacement abstract is file herewith in response to this objection.

The examiner has rejected claim 1 and claim 13 as being indefinite under 35 U.S.C. §112. These claims have been amended to more distinctly claim embodiments of the present invention.

Line 6 of claim 1 and line 6 of claim 13 have been amended changing “said client” to “a client” to correct their improper antecedent basis.

The examiner has also rejected these claims under §112 because the examiner does not believe that a user can “select a customization of said image file” without having the image file present on the client device. In the embodiments described in these claims, the user makes a selection based on a representative part of an image file, however, the selection is relative to the image file represented by the representative part. The image file, represented by the representative part does not need to be present on the client device for a user to make a selection of a customization of the image file. For example, a user may select a region-of-interest based on interaction with the representative part, but the system responds by displaying a region of the image file, not the representative part. However, these claims have been amended to make this more clear by stating that the customization of said image file is “based on said representative part.” Applicant hopes this amendment and the accompanying remarks resolve this rejection.

Claim 20 has also been rejected under §112. Claim 20 has been cancelled.

The examiner has rejected claims 1, 2, 3, 7, 8, 9, 12 & 20-23 under 35 U.S.C. §102(e) as being anticipated by Sivan et al, U.S. Patent No. 6,281,874. Sivan et al teach a method whereby a pair of image files are stored for any particular image. One is a low resolution image, the other is a high resolution image. When an image is desired, the low resolution image is sent to the requesting client and the user is allowed to select a geometric area on that image for viewing at a higher resolution. The selection is transferred to the server, which then serves the high resolution version of the selected area of the image.

Sivan et al may be distinguished from embodiments of the present invention in several ways. Sivan et al require the storage of two image files of different resolution for each stored image. This requires additional storage capacity and computational overhead for serving the combination of files. Also, Sivan et al do not teach parsing of the image file to obtain a customized image of any type. Sivan et al simply teach identification of an image area on a low-resolution image and serving up that portion of the corresponding high resolution image. Using the method taught in Sivan et al, two image files must be sent, thereby creating a redundant transmission of data. The low resolution portion of the selected area of the image is actually sent twice. Firstly, in the low resolution file and secondly, in the high-resolution file. Embodiments of the present invention build upon the primary low resolution image by adding higher resolution data to the primary image that has been parsed from a single high-resolution file. This process eliminates redundant transmissions and obviates the need for additional image file storage.

The examiner seems to be clinging to the notion that storing two image files of differing resolution constitutes "parsing" an image file. While this file storage may fall under a very broad interpretation of the term "parsing" as it is used in the first parsing step of these claims. It

is not in any way equivalent to the second parsing step comprising “parsing said image file on said server to determine image data associated with said customization.” Nevertheless, applicant amends claims 1 and 13 to claim “parsing said image file on said server to determine additional parts of said image file necessary for said customization.” This claim term no longer refers to “image data,” but refers parts of the same image file to further distinguish from the two-file method of Sivan et al.

Claim 21 has also been amended to claim “a parser for parsing said image file and determining what parts of said image file are required to render said customized versions of said image file.” Again, this parsing is done on the image file after customization has been selected and in response to the customization selection. This is not taught in the two-file method of Sivan et al.

Claims 2, 3, 7-9 and 12 are dependent on claim 1 and comprise all the elements thereof. Accordingly, they are now patentable for the reasons put forth in relation to claim 1 above.

Claims 20, 22 and 23 have been cancelled.

The examiner has rejected claims 4 & 6 under 35 U.S.C. §103(a) as being unpatentable over Sivan et al in view of Li, J. et al (ISO/IEC JTC1/SC29/WG1 N1473). This rejection relies on the prior §102 rejection of claim 1 while citing Li et al as teaching selection of resolution and ROI data as well as streaming. As claim 1 has been amended to overcome the 102 rejection and Li et al do not teach any further parsing of the image file, these claims are now allowable for the reasons stated in relation to claim 1 above.

The examiner has rejected claims 5, 13 and 14 under 35 U.S.C. §103(a) as being unpatentable over Sivan et al in view of Duhault et al (US Pat. No. 5,900,868).

This rejection relies on the prior §102 rejection of claims 1 and 13 while citing Duhault et al as teaching interaction with a thumbnail image. As claims 1 and 13 have been amended to overcome the §102 rejection and Duhault et al do not teach any further parsing of the image file, these claims are now allowable for the reasons stated in relation to claims 1 and 13 above.

The examiner has rejected claims 10 and 11 under 35 U.S.C. §103(a) as being unpatentable over Sivan et al in view of Li, C et al (US Pat. No. 6,345,279).

This rejection relies on the prior §102 rejection of claim 1 while citing Duhault et al as teaching interaction with a thumbnail image. As claim 1 has been amended to overcome the §102 rejection and Li, C et al do not teach any further parsing of the image file, these claims are now allowable for the reasons stated in relation to claim 1 above.

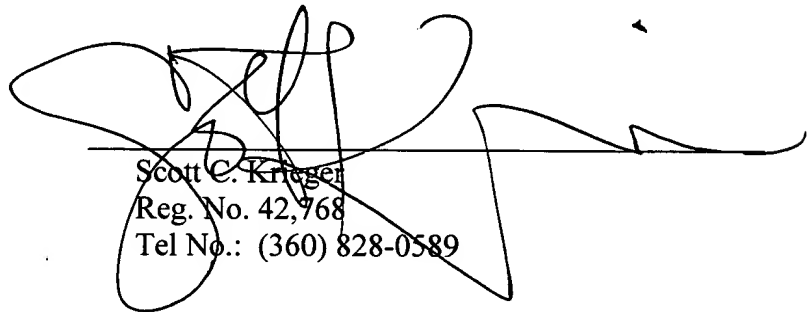
The examiner has rejected claims 17 and 18 under 35 U.S.C. §103(a) as being unpatentable over Sivan et al in view of Duhault et al (US Pat. No. 5,900,868) and further in view of Li, J. et al (ISO/IEC JTC1/SC29/WG1 N1473).

This rejection relies on the prior §102 rejection of claim 13 while citing Li, J et al as teaching region-of-interest selection and streaming a JPEG2000 file over a network. As claim 1 has been amended to overcome the §102 rejection and Li, J et al and Duhault et al do not teach any further parsing of the image file, these claims are now allowable for the reasons stated in relation to claim 13 above.

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In light of the arguments above, all claims are considered to be novel, non-obvious and patentable in view of the cited art. Applicant respectfully requests that the Examiner promptly allow these claims and proceed with issuance of this application. The Examiner is invited to contact applicant's attorney directly for any reason.

Respectfully submitted,



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Scott C. Krieger

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